

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AUTHORS GUILD, DAVID BALDACCI, MARY BLY, MICHAEL CONNELLY, SYLVIA DAY, JONATHAN FRANZEN, JOHN GRISHAM, ELIN HILDERBRAND, CHRISTINA BAKER KLINE, MAYA SHANBHAG LANG, VICTOR LAVALLE, GEORGE R.R. MARTIN, JODI PICOUlt, DOUGLAS PRESTON, ROXANA ROBINSON, GEORGE SAUNDERS, SCOTT TUROW, and RACHEL VAIL, individually and on behalf of others similarly situated.,

Plaintiffs,

v.

OPEN AI INC., OPENAI OPCO LLC, OPENAI GP LLC, OPENAI, LLC, OPENAI GLOBAL LLC, OAI CORPORATION LLC, OPENAI HOLDINGS LLC, OPENAI STARTUP FUND I LP, OPENAI STARTUP FUND GP I LLC, OPENAI STARTUP FUND MANAGEMENT LLC, and MICROSOFT CORPORATION,

Defendants.

JONATHAN ALTER, KAI BIRD, TAYLOR BRANCH, RICH COHEN, EUGENE LINDEN, DANIEL OKRENT, JULIAN SANCTON, HAMPTON SIDES, STACY SCHIFF, JAMES SHAPIRO, JIA TOLENTINO, and SIMON WINCHESTER, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

OPEN AI INC., OPENAI OPCO LLC, OPENAI GP LLC, OPENAI, LLC, OPENAI GLOBAL LLC, OAI CORPORATION LLC, OPENAI HOLDINGS LLC, OPENAI STARTUP FUND I LP, OPENAI STARTUP FUND GP I LLC, OPENAI STARTUP FUND MANAGEMENT LLC, and MICROSOFT CORPORATION,

Defendants.

Case No.: 1:23-cv-08292-SHS

Case No.: 1:23-cv-10211-SHS

Case No.: 1:24-cv-00084-SHS

NICHOLAS A. BASBANES and NICHOLAS NGAGOYEANES (professionally known as Nicholas Gage), individually and on behalf of all others similarly situated,

Plaintiffs,

v.

MICROSOFT CORPORATION, OPENAI, INC., OPENAI GP, L.L.C., OPENAI HOLDINGS, LLC, OAI CORPORATION, LLC, OPENAI GLOBAL, LLC, OPENAI, L.L.C., and OPENAI OPCO, LLC.,

Defendants.

**AFFIDAVIT OF SHERYL GARKO IN SUPPORT OF
MOTION TO ADMIT COUNSEL *PRO HAC VICE***

COUNTY OF SUFFOLK)
)
COMMONWEALTH OF MASSACHUSETTS)
):ss

Sheryl Garko, being duly sworn, deposes and says as follows:

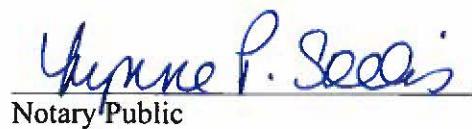
1. I am a Partner with the law firm of Orrick, Herrington & Sutcliffe LLP.
2. I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above captioned action.
3. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the Commonwealth of Massachusetts.
4. There are no pending disciplinary proceedings against me in any State or Federal court.
5. I have not been convicted of a felony.
6. I have not been censured, suspended, disbarred or denied admission or readmission by any court.

7. Wherefore I, Sheryl Garko, respectfully submit that I be permitted to appear as counsel and advocate *pro hac vice* in this action for Defendant Microsoft Corporation.



Sheryl Garko

Sworn to before me
this 27th day of March, 2024



Lynne P. Sollis

Notary Public

